

REMARKS

Reconsideration of this application in view of the following remarks is respectfully requested. Pursuant to 37 C.F.R. §1.114, Applicants hereby submit a Request for Continued Examination (RCE), for which this response is to serve as the accompanying submission, and a Supplemental Information Disclosure Statement. Claims 1, 3-5, 17, 18, and 56-63 are presently pending. Claims 1, 3, 56, 57, and 60 have been amended. Claims 62 and 63 have been added. The present amendments and new claims have been added solely to expedite prosecution of one aspect of the present application. Support for the present amendments and new claims derives from the previous claim set as the amendments merely delete subject matter from apparently otherwise allowable claims (claims 1 and 3), combine subject matter from objected to dependent claims (claims 56, 57, and 60), or add deleted subject matter to objected to claims (claims 62 and 63). No new matter has been added.

Rejection Under 35 U.S.C. § 102(e)

Claims 1, 3, 57, and 60 stand rejected as allegedly being anticipated by U.S. Patent No. 6,090,911. The Action alleges that claim 1 of the instant application is drawn to a fusion protein, the polyanionic domain comprised of (Ala Gly)₀₋₈ – (Glu Gly)₁₋₄₀, and claim 57 allegedly being a fusion protein, the polyanionic domain comprised of (Ala-Gly)₀₋₈ – (Pro Asp Gly)₁₋₄₀ or (Ala Gly)₀₋₈ – (Asp Gly)₁₋₄₀.

Applicant respectfully traverses this rejection and submits that the present claims do not read on the cited art. While Applicant disagrees with the grounds for rejection, Applicant has amended the present claims to remove the rejected subject matter from claims 1 and 3 and to combine claims 57 and 60 with the objected to claim 4. Applicant has made the present amendments solely for the purpose of expediting prosecution, thus reserving the right to prosecute the previous claim scope in a timely filed continuation or divisional application. Accordingly, as Applicant has now obviated the above-noted basis for rejection, it is respectfully requested that this rejection be withdrawn.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. Should the Examiner believe there to be any outstanding issues related to the claims, or have further questions regarding the proper reading of the claims, she is encouraged to contact the undersigned representative.

Respectfully submitted,

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